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Enterprises, LLC, Dareltech LLC, Tinnus  
Enterprises, LLC, Clearplay, Inc., E-Watch, Inc.*

*A complete list of parties and counsel appears  
on the signature page per Local Rule 3-4(a)(1)*

**UNITED STATES DISTRICT COURT**  
**FOR THE NORTHERN DISTRICT OF CALIFORNIA**  
**SAN JOSE DIVISION**

APPLE INC., CISCO SYSTEMS, INC.,  
GOOGLE LLC, and INTEL CORPORATION,

Plaintiffs,

v.

ANDREI IANCU, Under Secretary of  
Commerce for Intellectual Property and  
Director, United States Patent and Trademark  
Office,

Defendant.

Case No. 20-cv-6128-EJD

**STIPULATED REQUEST TO AMEND  
SCHEDULING ORDER ON TRO/PI  
MOTION AND [PROPOSED] ORDER**

1 In accordance with Civil Local Rules 6-2 and this Court's rules and orders, the parties  
2 respectfully request that the Court amend its scheduling order with respect to briefing on Proposed  
3 Intervenor's Application for a Temporary Restraining Order and Motion or Entry of a Preliminary  
4 Injunction Against the Director of the United States Patent and Trademark Office ("TRO/PI  
5 Motion"), Dkt. 34. In particular, the parties respectfully request that Plaintiffs be permitted to file  
6 an opposition to Proposed Intervenor's motion on October 12, 2020, the date on which  
7 Defendant's opposition to the motion is due, Dkt. 37.

8 In support of this request, the parties hereby stipulate as follows:

9 1. On September 25, 2020, Proposed Intervenor US Inventor, Inc. and World Source  
10 Enterprises, LLC, filed their TRO/PI Motion, Dkt. 34.

11 2. On September 29, 2020, Proposed Intervenor and Defendant filed a Joint Request  
12 and Stipulation To Enter Scheduling Order for TRO/PI Briefing, Dkt. 37. The Joint Request and  
13 Stipulation proposed an extension of the deadline for Defendant's opposition to the TRO  
14 component of Proposed Intervenor's motion but did not address the deadline for Plaintiffs'  
15 opposition. On September 30, 2020, the Court entered the requested briefing schedule, Dkt. 38.  
16 At present, Defendant's opposition to Proposed Intervenor's TRO/PI Motion is due by October 12,  
17 2020, and Proposed Intervenor's reply is due by October 19, 2020. The Court also scheduled a  
18 hearing on the motion for January 14, 2021.

19 3. Absent Proposed Intervenor's application for a TRO, Plaintiffs' opposition to the  
20 motion would be due on October 9, 2020, pursuant to Local Rule 7-3(a) and Federal Rule of Civil  
21 Procedure 6(a)(1).

22 4. Plaintiffs request that the Court permit Plaintiffs to file a consolidated opposition to  
23 the TRO/PI Motion no later than October 12, 2020, the date on which Defendant's opposition is  
24 due.

25 5. Defendant and Proposed Intervenor have consented to this request.

26 6. This is Plaintiffs' first request with regard to the filing deadline for their opposition  
27 to the TRO/PI Motion. Plaintiffs and Proposed Intervenor jointly requested an extension of the  
28

1 deadline for responding to the pending motion for intervention, Dkt. 30, which this Court granted,  
 2 Dkt. 31.

3 7. Granting Plaintiffs' request will coordinate the deadline for Plaintiffs' opposition  
 4 with Defendant's deadline and will not require the alteration of any deadline for Defendant or  
 5 Proposed Intervenors. The absence of any prejudice to the parties is indicated by their uniform  
 6 consent. Finally, granting Plaintiffs' request will not affect the hearing date set by the Court.

7 Based on the foregoing, and for good cause shown, **IT IS HEREBY STIPULATED AND**  
 8 **AGREED** by and between the parties, subject to the Court's approval:

9 1. Plaintiffs' deadline to respond to Proposed Intervenors' TRO/PI motion is extended  
 10 through and including October 12, 2020.

11  
 12 **IT IS SO STIPULATED.**

13 Dated: October 1, 2020

Respectfully submitted,

14  
 15 By: /s/ Gary Feldon

By: /s/ Mark D. Selwyn

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**[PROPOSED] ORDER**

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: \_\_\_\_\_

\_\_\_\_\_  
The Honorable Edward J. Davila  
United States District Judge

**ECF ATTESTATION**

I, Mark D. Selwyn, am the ECF user whose ID and password are being used to file this  
JOINT STIPULATED REQUEST AND [PROPOSED] ORDER TO AMEND SCHEDULING  
ORDER ON TRO/PI MOTION. I hereby attest that I received authorization to insert the  
signatures indicated by a conformed signature (/s/) within this e-filed document.

By: /s/ Mark D. Selwyn  
Mark D. Selwyn